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Before The  
Federal Communications Commission  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Advanced Television Systems  
and Their Impact upon the  
Existing Television Broadcast  
Service

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MM Docket No. 87-268

To: The Commission

**SUPPLEMENT TO PETITION FOR RECONSIDERATION  
SUBMITTED BY AK MEDIA GROUP, INC.**

**AK MEDIA GROUP, INC.**

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August 22, 1997

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**SUPPLEMENT TO PETITION FOR RECONSIDERATION  
SUBMITTED BY AK MEDIA GROUP, INC.**

**INTRODUCTION**

AK Media Group, Inc. ("AK Media"),<sup>1</sup> by its attorneys and pursuant to the Public Notice released by the Commission on July 3, 1997,<sup>2</sup> hereby submits its Supplement to Petition for Reconsideration in the above-captioned proceeding.

On June 13, 1997, AK Media submitted a Petition for Reconsideration in this proceeding demonstrating that station KFTY has been disadvantaged within the 5th-ranked San Francisco-Oakland-San Jose DMA by virtue of its assignment to DTV channel 54, a channel that lies outside either of the Commission's proposed definitions of the DTV core spectrum. Without the benefit of the Office of Engineering and Technology's Bulletin 69 ("OET 69"), AK Media requested *inter alia*

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<sup>1</sup> AK Media is the licensee of television stations KCBA(TV), Salinas, California; KFTY(TV), Santa Rosa, California; KGET(TV), Bakersfield, California; KKTV(TV), Colorado Springs, Colorado; KVOS(TV), Bellingham, Washington, and is an affiliate of WIXT-TV, Inc., licensee of WIXT(TV), Syracuse, New York.

<sup>2</sup> *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, Action by Chief, Office of Engineering and Technology, Public Notice, DA No. 97-1377, released July 3, 1997.

that the Commission reallocate KFTY a DTV channel within the core channels 7-46.

Following the release of OET 69 on July 3, 1997, AK Media reviewed the assignments of each of its stations in accordance with OET 69's guidelines. For the reasons set forth below, AK Media supplements its Petition for Reconsideration and requests that the Commission:

- reassign KFTY to DTV channel 11, and
- reconsider the Table of Allotments with respect to station KVOS, Bellingham, Washington, and station KSTW(TV), Tacoma, Washington, which is licensed to GBC, L.P. (Gaylord Broadcasting Co.).

**I. Station KFTY(TV)**

AK Media requests that the Commission reassign KFTY to DTV channel 11. As set forth in AK Media's petition, KFTY, which currently operates on NTSC channel 50, was assigned to DTV channel 54. DTV channel 54 is outside of the core spectrum under either of the Commission's proposed definitions of the post-transition core. One of the two definitions, which would include channels 2-47, would also exclude KFTY's current NTSC channel, channel 50, thus precluding KFTY's ability to move its DTV operations back to its current NTSC channel following the transition from analog to digital television. Since the Commission will require all initial DTV licensees to operate from channels within the core in the post-transition DTV era, the assignment to DTV channel 54 imposes unacceptable levels of uncertainty on KFTY.

KFTY will be forced to make a costly move to a channel outside the core in order to establish KFTY's DTV service, only to be forced to make a second costly move to an unspecified location inside the core at some unspecified date between now and 2006. The fact that the core has not yet been clearly defined leaves KFTY with no rational means of planning. Meanwhile, in the San Francisco-Oakland-San Jose DMA, which includes some of the largest stations in the nation,

KFTY's competitors already have the ability to choose their ultimate DTV destination. This places KFTY, an independent station serving a small community on the fringe of the DMA, at a substantial competitive disadvantage. This problem can be resolved through a reassignment of a new DTV channel to KFTY.

Upon review of potential alternative channels for KFTY, in accordance with the guidelines set forth in OET-69, DTV channel 11 appears to be the best technical choice among those studied. As the attached engineering statement shows, DTV channel 11 will fully replicate KFTY's current NTSC channel 50 service area. Potential interference that either would be caused or received by KFTY at DTV channel 11 is minimal and falls within the Commission's allowable limits; such interference will occur only at high elevations--i.e., in sparsely-populated mountain areas--, and the total increased interference will likely affect less than 5% of the total population.<sup>3</sup> In addition, reassignment of KFTY to DTV channel 11 will result in a significant public interest benefit by providing additional interference-free DTV service to approximately 600,000 people. Therefore, AK Media requests that the Commission re-assign KFTY to DTV channel 11.

## **II. Station KVOS(TV)**

Studies performed by AK Media's consulting engineers for station KVOS(TV), Bellingham, Washington, with the benefit of OET-69, predict interference to KVOS's allotted DTV channel 35

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<sup>3</sup> The station that would receive the most interference from KFTY at DTV channel 11 would be Granite Broadcasting Corporation ("Granite") station KNTV, San Jose, California. KNTV currently operates on NTSC channel 11, and has been allotted DTV channel 12. However, as both AK Media and Granite have pointed out previously in this proceeding, KNTV's DTV allotment is impermissibly short-spaced to another AK Media station, KCBA(TV), Salinas, California. *Petition of Granite Broadcasting Corporation for Reconsideration of the Fifth Report and Order and the Sixth Report and Order*, MM Docket No. 87-268, filed June 13, 1997, at 3; *Response of AK Media Group, Inc., to Petitions for Reconsideration filed by Granite Broadcasting Corporation, The Association of Local Television Stations, Inc., and Viacom, Inc.*, MM Docket No. 87-268, filed on July 18, 1997, at 2.

from the DTV channel 36 allotted to KSTW(TV), Tacoma, Washington.<sup>4</sup> At this time, a better alternative channel for either station is not readily apparent. However, in order to avoid the predicted interference, AK Media requests that the Commission review its allotments of DTV channel 35 to KVOs and DTV channel 36 to KSTW.

### **CONCLUSION**

For the reasons given above, AK Media requests that the Commission:

- reassign KFTY to DTV channel 11, and
- reconsider the Table of Allotments with respect to station KVOs, Bellingham, Washington, and station KSTW(TV), Tacoma, Washington.

Respectfully submitted,

**AK MEDIA GROUP, INC.**

By: 

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Steven J. Stone  
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Its Attorneys

August 22, 1997

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<sup>4</sup> See attached engineering statement.

**ENGINEERING STATEMENT  
ON BEHALF OF  
KFTY(TV), CHANNEL 50, SANTA ROSA, CALIFORNIA  
RE PROPOSED CHANGE OF DTV ALLOTMENT  
IN MM DOCKET NO. 87-268**

**AUGUST 1997**

**COHEN, DIPPELL AND EVERIST, P.C.  
CONSULTING ENGINEERS  
RADIO AND TELEVISION  
WASHINGTON, D.C.**

This engineering statement has been prepared on behalf of AK Media Group, Inc., licensee of television broadcast station KFTY(TV), Channel 50, Santa Rosa, California, in support of its request to change the digital television (DTV) allotment assigned to KFTY(TV) in the Sixth Report & Order in MM Docket No. 87-268, in the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service. Specifically, KFTY(TV) requests a change in its DTV allotment from Channel 54 to Channel 11 in order to ensure having a channel in the final core spectrum for digital television service.

Proposed Change in DTV Allotment

The requested change in DTV allotment for KFTY(TV) from Channel 54 to Channel 11 will resolve any potential NTSC or DTV channel incompatibility problems anticipated when the core spectrum is finalized and broadcasters are required to make their DTV spectrum choices within 3 to 5 years after implementing their DTV service. Without the requested change, KFTY(TV) may be forced to move to a DTV channel twice, as spectrum outside the core channels is recovered.

The proposed Channel 11 DTV allotment not only will provide KFTY(TV) the assurance that its DTV operation will be within the core spectrum, but it is also predicted that additional interference-free DTV service to approximately 600,000 people would result.

The attached Table I is an allocation study depicting the distances from the FCC allotted DTV Channel 54 and the proposed Channel 11 DTV operation for KFTY(TV) to other DTV allotments.

The nearest co-channel analog NTSC operation would be KNTV(TV), San Jose, California, which is located 186.3 km from the KFTY(TV) site. The nearest co-channel DTV allotment is for station KEET(TV), Eureka, California, which is located 255.7 km from the KFTY(TV) site. Due to the rugged terrain between KFTY(TV) and KEET(TV), no actual interference is expected to occur from the proposed DTV Channel 11 operation at Santa Rosa.

OET Bulletin 69 methodology indicates the proposed DTV Channel 11 operation of KFTY would cause an increase in predicted interference (8%) to the NTSC operation of station KNTV. That increase represents less than 5% of the total population; however, the predicted interference generally occurs in the higher elevations associated with Sonoma, Marin and Solano Counties in the northern part of the San Francisco Bay area. It is believed that a 5% increase in additional interference will meet the FCC acceptable threshold. Moreover, this predicted interference could be further minimized by KFTY using a directional pattern with more suppression toward the south.

The attached terrain profiles clearly indicate the ruggedness of the terrain between the aforementioned transmitter sites (see Figures T-1 and T-2).



Attached hereto are maps depicting coverage and predicted areas of interference based on OET Bulletin 69 methodology.

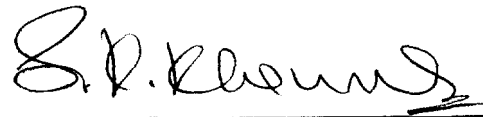
Figure 1 Proposed Channel 11 DTV Service Area

Figure 2 Allotted Channel 54 DTV Service Area

The minimum power of 3.2 kW for DTV Channel 11 will provide full replication of KFTY(TV)'s current Channel 50 service area in addition to being included in the DTV core spectrum.

August 22, 1997

Respectfully submitted,



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S. K. Khanna  
District of Columbia  
Professional Engineer  
Registration No. 8057

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I  
DTV TO DTV  
ALLOCATION STUDIES  
AUGUST 1997

FCC Allotted DTV Channel 54

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required for</u> <u>New Allotments</u> km
N	54	KFTY(TV)	Santa Rosa, CA	--
N-1	53	KVIE(TV)	Sacramento, CA	107.7
N	54	None within 275 km		--
N + 1	55	KTXL(TV)	Sacramento, CA	107.7

Proposed DTV Channel 11

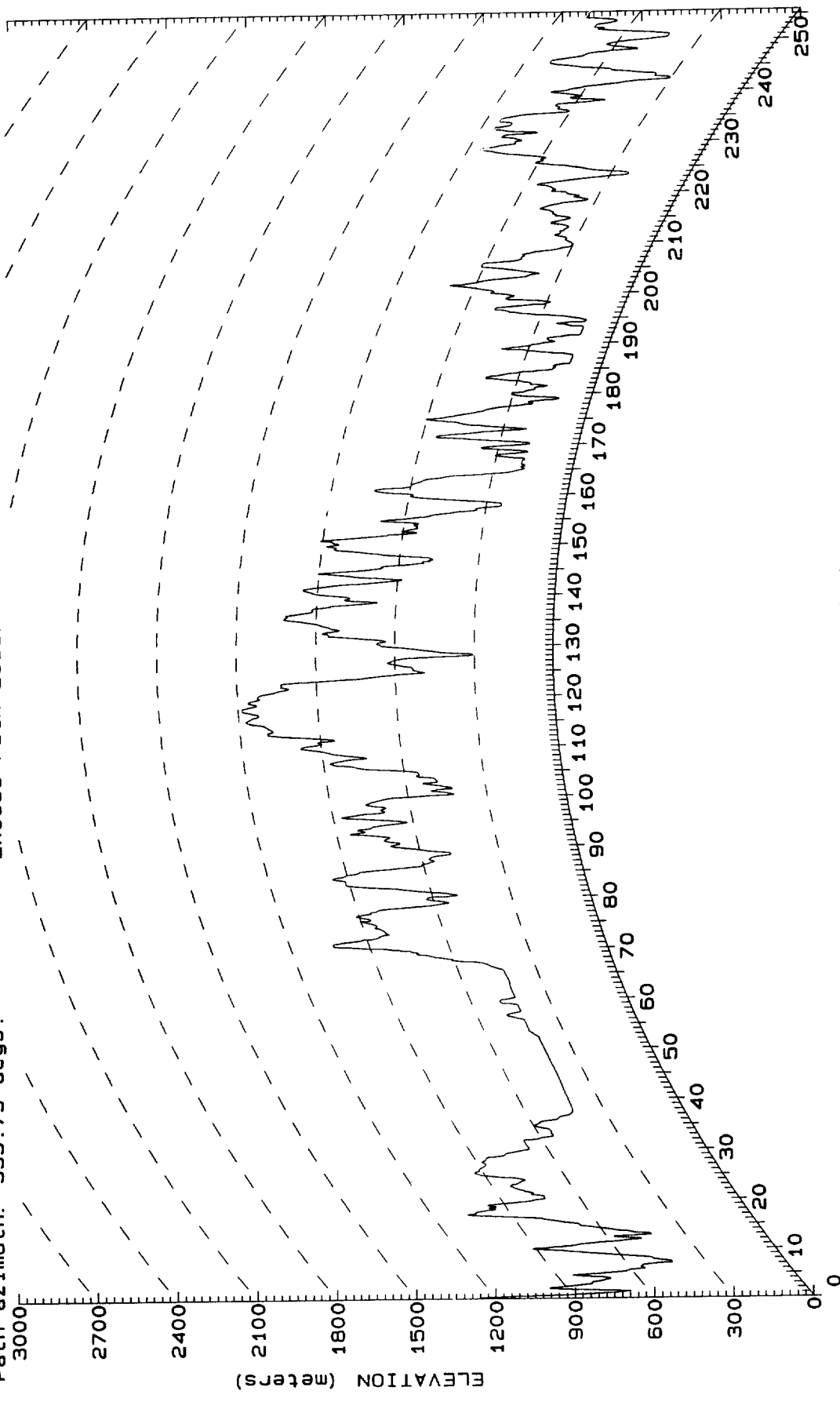
<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required for</u> <u>New Allotments</u> km
N	11	KFTY(TV)	Santa Rosa, CA	--
N-1	10	None within 175 km		--
N	11	KEET(TV)	Eureka, CA	255.7 <sup>1</sup>
N + 1	12	KHSL-TV	Chico, CA	163.5
N + 1	12	KNTV(TV)	San Jose, CA	186.5

<sup>1</sup>See attached terrain profile Figure T-1.

Site: KFTY (TV)  
 N 38 40 10 W 122 37 52  
 Ant. Elev. (AMSL): 1358.0 m  
 Path azimuth: 333.79 degs.

Frequency: 201.0 MHz  
 Path Length: 255.8 km  
 Total Path Loss: 166.4 dB  
 Excess Path Loss: 39.7 dB

Site: KEET (TV)  
 N 40 43 36 W 123 58 19  
 Ant. Elev. (AMSL): 792.1 m  
 Path azimuth: 152.94 degs.



K factor: 1.333

3 Second Database - NAD 27  
 Rain loss: .0 dB  
 Urban loss: .0 dB  
 Foliage loss: .0 dB

# TERRAIN PROFILE

FIGURE T-1

AUGUST 1997

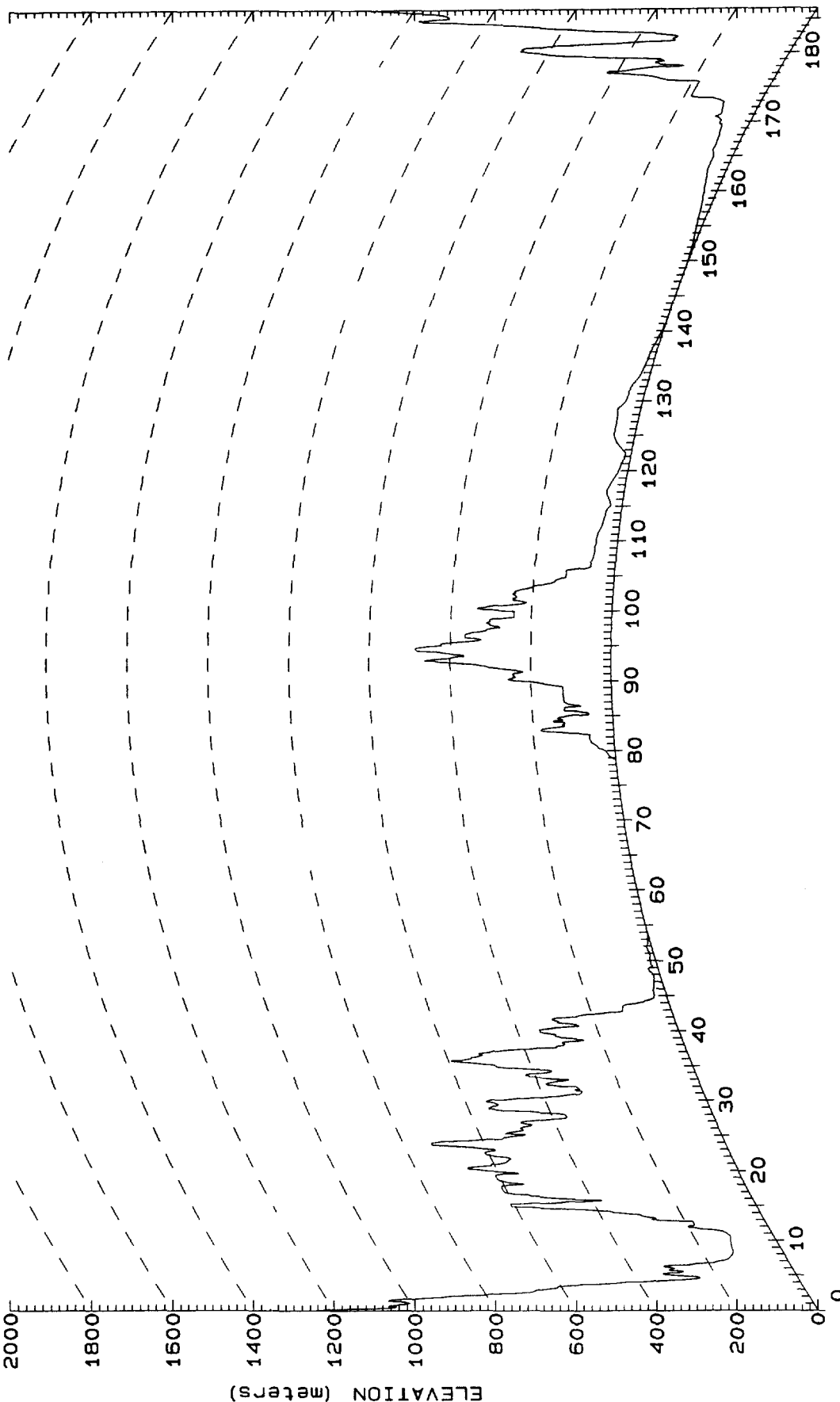
INTERVENING TERRAIN  
 BETWEEN CH. 11 STATIONS  
 KFTY (TV) AND KEET (TV)

COHEN, DIPPELL & EVERIST  
 Consulting Engineers  
 WASHINGTON, D.C.

Site: KFTY (TV)  
 N 38 40 10 W 122 37 52  
 Ant. Elev. (AMSL): 1358.0 m  
 Path azimuth: 157.99 degs.

Frequency: 201.0 MHz  
 Path Length: 186.5 km  
 Total Path Loss: 130.0 dB  
 Excess Path Loss: 6.0 dB

Site: KNTV (TV)  
 N 37 6 40 W 121 50 34  
 Ant. Elev. (AMSL): 1096.2 m  
 Path azimuth: 338.48 degs.



K factor: 1.333

DISTANCE (km)

3 Second Database - NAD 27

Rain loss: .0 dB

Urban loss: .0 dB

Foliage loss: .0 dB

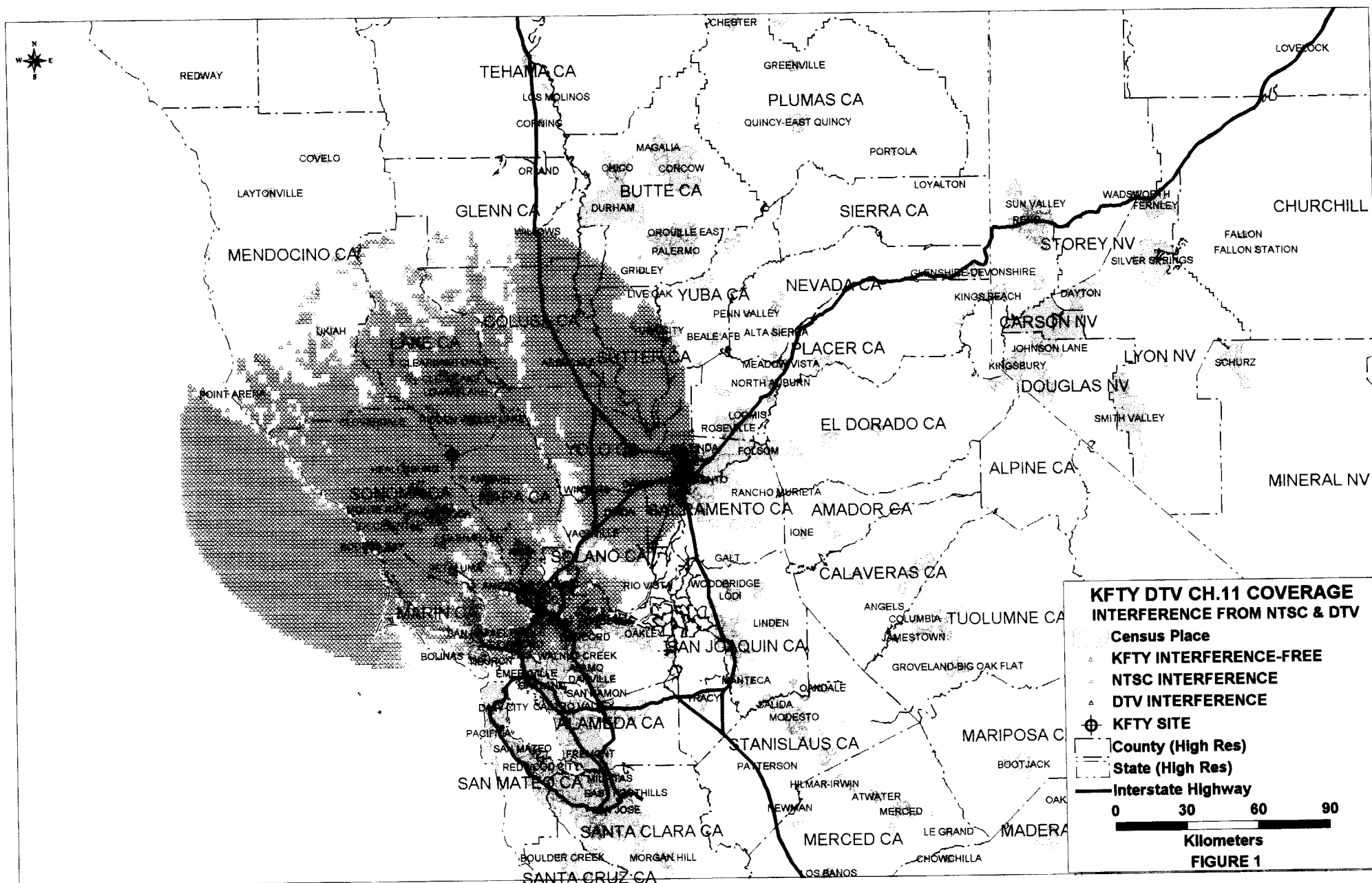
COHEN, DIPPELL & EVERIST  
 Consulting Engineers  
 WASHINGTON, D.C.

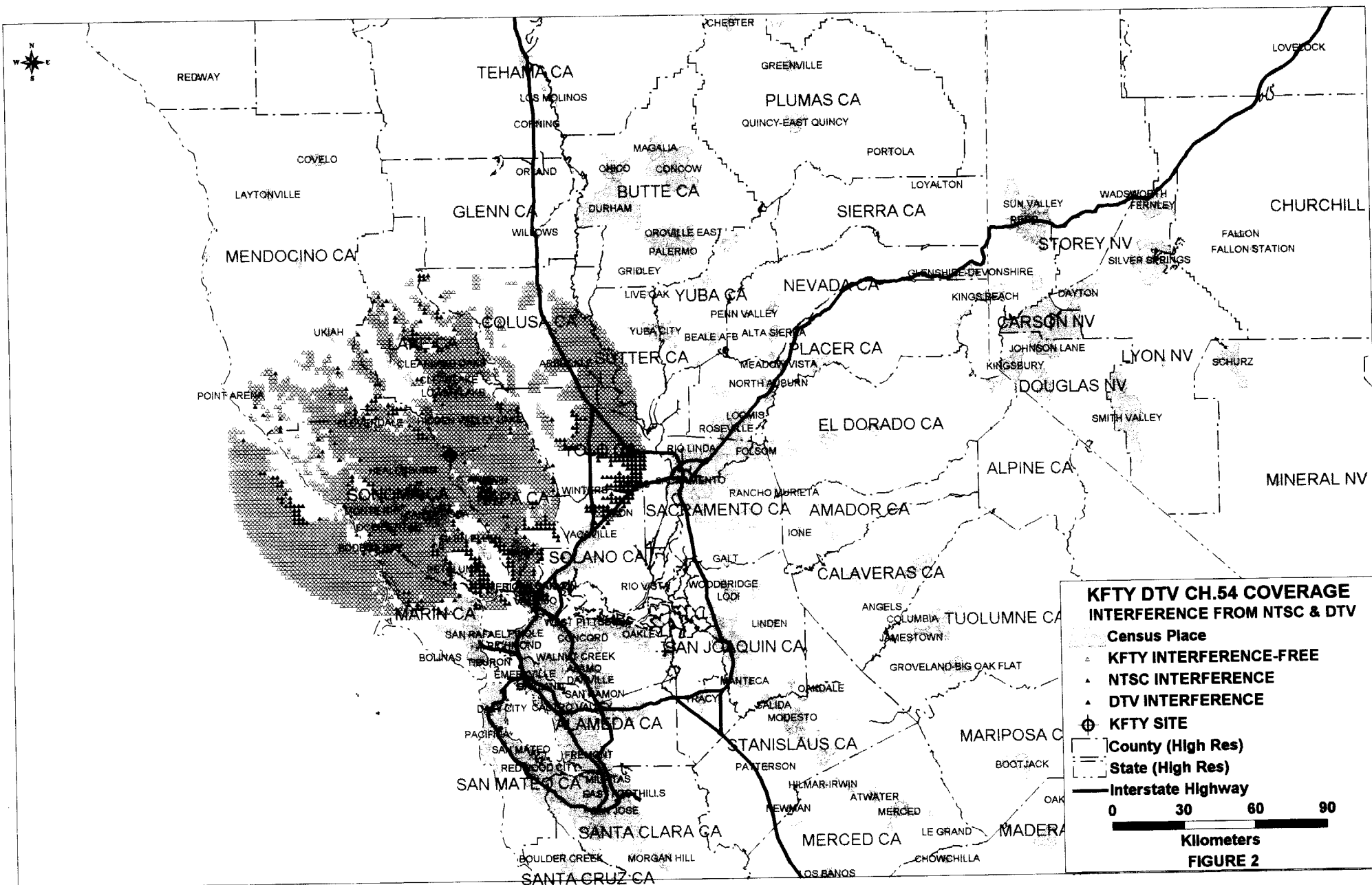
INTERVENING TERRAIN  
 BETWEEN CH.11 STATIONS  
 KFTY (TV) AND KNTV (TV)

# TERRAIN PROFILE

FIGURE T-2

AUGUST 1997





ENGINEERING STATEMENT  
RE REQUEST FOR CHANGE  
IN DTV CHANNEL ALLOTMENT  
KVOS(TV), BELLINGHAM, WASHINGTON

AUGUST 1997

COHEN, DIPPELL AND EVERIST, P.C.  
CONSULTING ENGINEERS  
RADIO AND TELEVISION  
WASHINGTON, D.C.

This engineering statement has been prepared on behalf of AK Media Group, Inc., licensee of TV station KVOS(TV), Bellingham, Washington, in support of its request for a DTV channel which better replicates the existing NTSC broadcast service area and remains part of the Commission's core spectrum for digital television operation. At present, station KVOS(TV) is licensed to operate on analog NTSC Channel 12 (204-210 MHz) with 234 kW effective radiated power (ERP) and 722 meters antenna height above average terrain (HAAT), the maximum facilities permitted by the Commission for high band VHF stations.

Under the Sixth Report and Order in MM Docket 87-268, the Commission has allotted a new 6 MHz wide TV channel to each broadcast licensee for digital television operation. Station KVOS(TV) was allotted UHF Channel 35 with 586 kW ERP and 722 meters HAAT for its DTV operation.

In the Sixth Report and Order, the Commission also indicated that the core spectrum for DTV operation would be either Channels 2-46 or channels 7-51. The Commission stated that it will monitor the testing and early implementation of DTV systems to decide the final core spectrum for the digital TV operation. Studies based on the Commission's OET Bulletin 69 show that the proposed DTV Channel 35 allotted to KVOS(TV), although within the core spectrum being considered for DTV operation, is likely to receive excessive interference within its proposed DTV service area. The predicted interference is caused by the first-adjacent channel station KSTW(TV), Tacoma, Washington. Therefore, AK Media requests that the Commission



allot KVOS(TV) a DTV channel which is part of its core spectrum plan and also does not receive excessive interference from existing analog NTSC and proposed DTV operations.

Attached is a map showing the DTV Channel 35 coverage and predicted areas of interference based on OET Bulletin 69 methodology (see Figure 1).

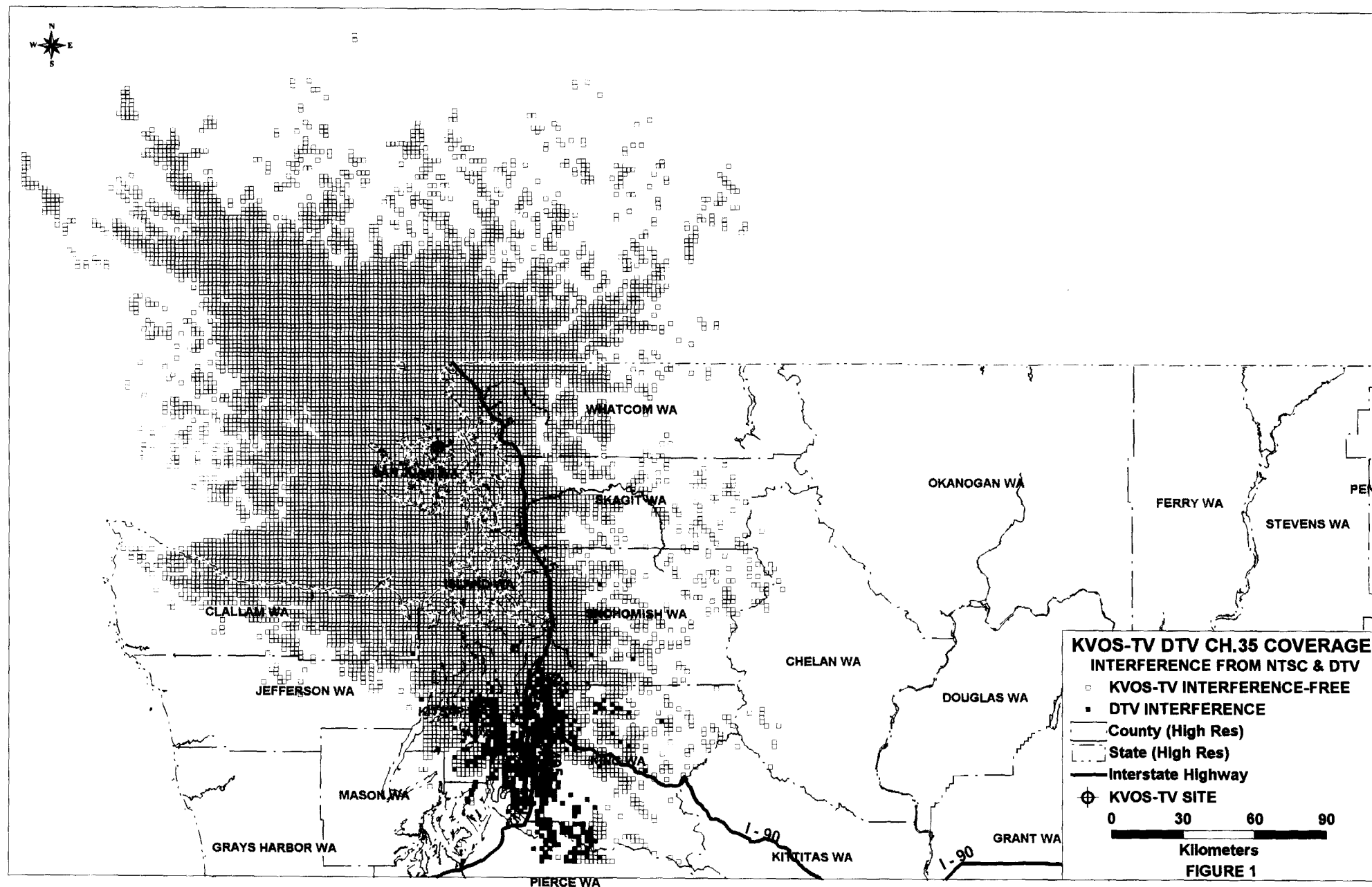
August 22, 1997

Respectfully submitted,



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S. K. Khanna  
District of Columbia  
Professional Engineer  
Registration No. 8057



## CERTIFICATE OF SERVICE

I, Kathy Nickens, a secretary in the law firm of Rubin, Winston, Diercks, Harris & Cooke, L.L.P., do hereby certify that on August 22, 1997, true copies of the foregoing "Supplement to Petition for Reconsideration" were hand delivered to the following:

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